

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.23351 of 2007

DATED: 05.11.2007

Between:

Gattupally Sriramulu

....Petitioner

AND

The Assistant Commissioner of Endowments

Guntur and another

....Respondents

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THE HONOURABLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.23351 of 2007

ORDER:

When the matter is coming up for admission, the learned Government Pleader for Endowments takes notice on behalf of Respondent No.1. Sri V.T.M. Prasad, the learned Standing Counsel takes notice on behalf of respondent No.2.

This writ petition is filed for issuance of a writ, order or direction, more particularly a writ in the nature of Writ of Mandamus declaring the action of the first respondent i.e., the Assistant Commissioner of Endowments, Guntur in issuing a notification by his proceedings Rc.No.10961/07, dated 03.10.2007 inviting applications for being considered to be appointed as non-hereditary trustees to Sri Suvarchala Sametha Sri Anjaneya Swamy Temple, Bapatla Town, Guntur District as bad, illegal, arbitrary and contrary to the provisions of the Endowments Act and to pass such other suitable orders.

The learned Government Pleader for Endowments had placed before this Court the proceedings in Rc.No.A4/10961/07 dated 02.11.2007 by the Assistant Commissioner, Endowments Department, Guntur, wherein it is specified as hereunder:-

“The Notification issued on 03.10.2007 inviting applications for constituting Trust Board in respect of Sri Suvarchala Sametha Sri Anjaneya Swamy Temple, Bapatla (V&M), Guntur District is hereby withdrawn as the

same was not issued in consonance with Rule 4 (1) of the Appointment of Trustee Rules 1987 and as per the Form No.1 appended to the Rules.”

In the light of the same, no further orders need be passed in this writ petition and the same is hereby closed.

However, Sri M. Vidyasagar, the learned Counsel representing the petitioner would contend that though the petitioner belongs to the founder member of the family, the same is not being decided and without taking a decision in undue haste, the first respondent is further proceeding in this matter. It is needless to say that the concerned authorities are at liberty to consider the case of the petitioner in proper perspective. Further, liberty is given to the petitioner to question the same in the event of any fresh notification being issued in this regard.

With the above liberty, the writ petition is disposed of. No order as to costs.

P.S.NARAYANA, J

DATED:5th November, 2007
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